

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION**

FILED BY cf D.C.
05 JUL 21 AM 8:10
THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
W.D. OF TN, JACKSON

CEDRIC D. WHITESIDE a/k/a)
MALCOLM WHITESIDE,)
)
Plaintiff,)
)
v.)
)
DAVID WOOLFORK, Sheriff, et al.,)
)
Defendants.)

NO. 04-1220 T/An

ORDER DENYING MOTION TO COMPEL

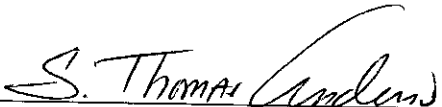
Before the Court is Plaintiff's Motion to Compel filed on June 20, 2005. After review, the Court concludes that Plaintiff failed to meet the requirement for consulting with opposing counsel required by Local Rule 7.2(a)(1)(B) of the Local Rules of the United States District Court for the Western District of Tennessee. Local Rule 7.2(a)(1)(B) provides:

Consultation by Counsel. All motions, including discovery motions, but not including motions pursuant to Fed. R. Civ. P. 12, 56, 59, and 60 shall be accompanied by a certificate of counsel (with one copy) affirming that, after consultation between the parties to the controversy, they are unable to reach an accord as to all issues or that all other parties are in agreement with the action requested by the motion. Failure to file an accompanying certificate of consultation may be deemed good grounds for denying the motion.

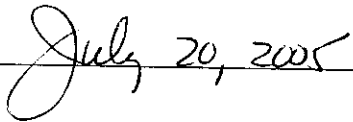
The certificate must contain the names of participating counsel and the date and manner of consultation. The burden will be on counsel filing the motion to initiate the conference upon giving reasonable notice of the time, place and specific nature of the conference. If an opposing counsel or party refuses to cooperate in the conduct of a conference, counsel must file certificate to that effect, setting out counsel's efforts to comply with this rule.

Therefore, because it appears Plaintiff did not make an attempt to consult with Defendants' counsel, as required by the Local Rules, the instant motion is **DENIED** without prejudice.

IT IS SO ORDERED.



S. THOMAS ANDERSON
UNITED STATES MAGISTRATE JUDGE

Date: _____



Notice of Distribution

This notice confirms a copy of the document docketed as number 25 in case 1:04-CV-01220 was distributed by fax, mail, or direct printing on July 21, 2005 to the parties listed.

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Honorable James Todd
US DISTRICT COURT